



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,269	02/08/2001	Yoshinobu Murai	P/126-199	4115

7590 02/01/2005

Steven I Weisburd Esq
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas - 41st Floor
New York, NY 10036-2714

EXAMINER

JACKSON, JAKIEDA R

ART UNIT	PAPER NUMBER
----------	--------------

2655

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/779,269	Applicant(s) MURAI, YOSHINOBU	
	Examiner Jakieda R Jackson	Art Unit 2655	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 January 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


DAVID L. OMETZ
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: the numerous different rejections applied provides adequate reasoning for maintaining the rejection in which applicant's arguments filed January 7, 2005 have been fully considered but they are not persuasive.

Applicant argues with regards to the only independent claims currently pending, claims 3 and 10. For each of the arguments regarding the different rejections used, the main focus is on the attachable and detachable voice message data being in a plurality of languages organized in classes according to the language of voice message data.

Regarding the Hirohama in view of Sawada references, applicant agrees that Sawada discloses a removable storage medium, but applicant argues that the Sawada fails to disclose that the data is stored in multiple languages. However, Sawada was presented to teach that the attachable/detachable storage medium allows the convenience and flexibility of destination setting (column 11, lines 43-46). Sawada was not used to show the multiple languages. Hirohama was used to show the various languages (column 3, lines 15-29 with lines 43-52), see page 4 and 6-7 of Office Action.

Regarding Hirohama in view of Palisson et al. references, that Palisson et al. memory contains data in various languages corresponding to the user's nationality and/or to one or more given districts. Applicant continues to explain that Palisson et al. while able to store multiple languages, announces the words "in either one of the two languages." Palisson et al. may announce the words "in either one of the two languages", however that implies that the memory can store various languages in which one can choose the desired language (column 4, lines 22-32), amongst the various languages.

In addition, applicant argues that Hirohama in view of Palisson et al. does not provide proper motivation to combine. Applicant argues why would one modify Hirohama's voice guide system with Palisson et al. traffic information system. One would in fact use a traffic guidance system (abstract) for the same reasons why one would use a voice reproducer and guide system. For obvious reasons. So that one can be guided to the route a user is likely to follow (column 1, lines 7-12).

Regarding the Hirohama in view of Maruyama et al. and in further view of Siegle et al. references, applicant argues that Maruyama does not disclose an attachable and detachable storage medium including the voice message data. However, according to page 13 of the office action, it states that Hirohama nor Maruyama's system and method does not specifically teach that the memory inside the portable units are attachable and detachable. Siegle teaches a travel system disclosing a solid state chip card (figure 2 with figure 3, elements 18, 19 and 21) that can be removeably inserted (column 3, line 13) that contains a plurality of languages selectable by the user (claim 1), which makes that data memory easily exchangeable for updating (column 1, lines 44-47).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, pages 11-14 of the office action explains the reasons to combine Hirohama in combination of Maruyama et al. and Siegle et al.